

MOSER LAW FIRM, PC



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September 26, 2025

VIA ECF

Hon. Diane Gurajati, USDJ
United States District Court, EDNY
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Marquez v Indian Taj, Inc d b a Santoor Indian Restaurant, et al.*
Case No. 20-cv-5855(DG)(RML)

Dear Judge Gurajati:

I write on behalf of Plaintiff Esteban Marquez to respectfully request permission for him to testify remotely at the upcoming hearing scheduled for October 7, 2025, pursuant to Federal Rule of Civil Procedure 43(a).

Esteban Marquez resides in Florida, and travel to New York for live testimony would pose substantial hardship due to financial limitations, restrictions on interstate air travel and employment constraints. More specifically, Mr. Marquez has limited financial means and travel on short notice to New York would be costly. As of May 7, 2025, the TSA requires travelers to present a Real ID-compliant license, which Mr. Marquez does not possess. Mr. Marquez does not have a vehicle and therefore cannot drive himself to New York. Finally, he is concerned that taking time off from work on short notice would impose additional financial hardship and could affect his employment relationship.

Rule 43(a) permits testimony by contemporaneous transmission from a different location upon a showing of good cause in compelling circumstances, provided that appropriate safeguards are in place. If granted, Mr. Marquez will testify via secure, real-time videoconferencing technology approved by the Court. Such arrangements will ensure that the Court, counsel, and the parties maintain full opportunity for observation, examination, and cross-examination, consistent with the requirements of Rule 43(a).

Accordingly, we respectfully request that the Court grant this motion and permit the Plaintiff Esteban Marquez to testify remotely at the upcoming proceeding.

Respectfully Submitted,

Steven J. Moser

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CC: All counsel of record via ECF